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PLEASE DELIVER TO: Jean D. Janvier
COMPANY NAME: USPTO
FACSIMILE NO.: 571-273-6719
FROM: NEIFELD IP LAW, PC
DATE: June 20, 2005
OUR REF: CAT/29US-SCROCO
NUMBER OF PAGES INCLUDING COVER LETTER: 3

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NEIFELD REF.: CAT/29US-SCROCO

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: Scroggie et al.

USPTO CONFIRMATION CODE: 5333

SERIAL NO: 09/401,939

APPEAL NO.: 2004-0989

FILED: 9/23/1999

EXAMINER: JEAN D JANVIER

GROUP ART UNIT: 3622

FOR: System and Method for Providing Shopping Aids and Incentives to Customers Through a Computer Network

ASSISTANT COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

REQUEST FOR SUBSTITUTION OF A CORRECTED TERMINAL DISCLAIMER TO
MOOT A DOUBLE PATENTING REJECTION

Sir: In response to a telephone call from Examiner Jean D Janvier on 6/16/2005, please consider the following substitute terminal disclaimer submitted herewith for the previously filed defective terminal disclaimer incorrectly listing an application number.

On 6/16/2005 Examiner Janvier telephone Rick Neifeld, counsel for this application, noting that the application number 09/567,294 listed on the previously filed terminal disclaimer was objectively incorrect since that was not the application number over which claims had been rejected and because that was not an application number for an application owned by the same legal entity as this application.

Examiner Janvier noted that the outstanding rejection related to application number 09/567,274, and he asked me to submit a substitute terminal disclaimer in which the erroneous listing of a "9" instead of a "7" in the terminal disclaimer was corrected.

Examiner Janvier also asked for a copy of the pending claims in 09/567,274.

Examiner Janvier also asked that I facsimile file these papers to him promptly.

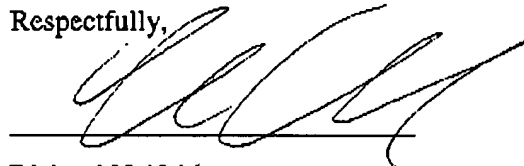
Accordingly, enclosed please find the papers requested by Examiner Janvier.

Please substitute the attached terminal disclaimer viz 09/567,274 for the incorrect previously filed terminal disclaimer viz 09/567,294

6/20/2005

Date

Respectfully,



Richard Neifeld

Attorney of Record

Reg. No. 35,299

RAN

Printed: June 20, 2005 (12:17pm)

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